

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:21-CV-463-JRG
)	
SAMSUNG ELECTRONICS CO., LTD.,)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS AMERICA,)	
INC., SAMSUNG SEMICONDUCTOR,)	
INC.,)	
)	
Defendants.)	

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF
NETLIST INC.'S MOTION TO COMPEL COMPLIANCE WITH
TRIAL SUBPOENA OF INDONG KIM**

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist’s Motion to Compel Trial Compliance with Trial Subpoena of Indong Kim. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of a March 23, 2023 letter from Katherine Reardon, counsel for Samsung, to Yanan Zhao, counsel for Netlist.

3. Attached as **Exhibit 2** is a true and correct copy of Samsung’s Fourth Amended Initial and Additional Disclosures, dated December 6, 2022.

4. Attached as **Exhibit 3** is a true and correct copy of Netlist’s Second Notice of Deposition of Samsung Defendants Pursuant to Rule 30(b)(6), dated September 27, 2022.

5. Attached as **Exhibit 4** is a true and correct copy of emails from counsel to Samsung to counsel for Netlist, dated December 1, 2022, and December 5, 2022.

6. Attached as **Exhibit 5** is a true and correct excerpted copy of the deposition transcript of Indong Kim, dated December 8, 2022.

7. Attached as **Exhibit 6** is a true and correct excerpted copy of the deposition transcript of Josesph Calandra, dated December 15, 2022.

8. Attached as **Exhibit 7** is a true and correct copy and download of the web page titled “Contact HPE,” downloaded on March 26, 2023, and accessible via <https://www.hpe.com/us/en/contact-hpe.html>.

9. Attached as **Exhibit 8** a true and correct copy of Netlist’s Trial Witness List, dated February 13, 2023.

10. Attached as **Exhibit 9** is a true and correct copy of Samsung's Witness List, dated February 13, 2023.

11. Attached as **Exhibit 10** is a true and correct copy of a February 27, 2023 email and attachment from Yanan Zhao, counsel for Netlist, to counsel for Samsung.

12. Attached as **Exhibit 11** is a true and correct copy of the Subpoena to Appear and Testify at a Hearing or Trial in a Civil Action of Indong Kim, with Proof of Service.

13. Attached as **Exhibit 12** is a true and correct copy of Texas Secretary of State Registration for Samsung Semiconductor, Inc.

14. Attached as **Exhibit 13** is a true and correct copy of Dun & Bradstreet Finance Analytics printout for Samsung Semiconductor, Inc.

15. Attached as **Exhibit 14** is a true and correct excerpted copy of Samsung's Seventh Supplemental Objections and Responses to Netlist's First Set of Interrogatories, dated December 22, 2022.

16. Attached as **Exhibit 15** is a true and correct copy of a March 23, 2023 email exchange between counsel for Netlist and counsel for Samsung.

17. Attached as **Exhibit 16** is a true and correct copy of a March 27, 2023 letter from counsel for Samsung to counsel for Netlist.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 27, 2023, in Marshall, Texas.

By /s/ Jason G. Sheasby
Jason G. Sheasby